



Town of Groton, Connecticut

Meeting Agenda

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager 860-441-6630

Mayor Heather Bond Somers, Councilors Dean G. Antipas, Bruce S. Flax, Bill Johnson, Karen F. Morton, Deborah L. Peruzzotti, Rita M. Schmidt, James L. Streeter, and Harry A. Watson

Tuesday, October 16, 2012

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to five (5) minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

a. Approval of Minutes

2012-0302 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of October 2, 2012 are hereby accepted and approved.

b. Administrative Items

2012-0278 Special Trust Fund Contributions

Resolution - Consent

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Elizabeth Colson - \$10.00 - Groton Utilities Energy Assistance Program
Eric Essig - \$5.00 - Groton Utilities Energy Assistance Program
Joan Feeney - \$50.00 - Groton Utilities Energy Assistance Program
Donna Holmes - \$25.00 - Groton Utilities Energy Assistance Program
Nancy Jewett - \$200.00 - Groton Utilities Energy Assistance Program
Peter Minugh - \$10.00 - Groton Utilities Energy Assistance Program
Donald Mosher - \$50.00 - Groton Utilities Energy Assistance Program
Kay and Edward Oddie - \$25.00 - Groton Utilities Energy Assistance Program
D. T. Painting - \$25.00 - Groton Utilities Energy Assistance Program

Martin and Solveig Schames - \$25.00 - Groton Utilities Energy Assistance Program
 Earlon and Ann Marie Seeley - \$50.00 - Groton Utilities Energy Assistance Program
 Anthony Spano - \$5.00 - Groton Utilities Energy Assistance Program
 Ramiro Tobar - \$20.00 - Groton Utilities Energy Assistance Program
 Sadie Tremblay - \$10.00 - Groton Utilities Energy Assistance Program
 City of Groton - \$410.26 - Groton Utilities Energy Assistance Program
 George Marshall - \$100.00 - Social Services Discretionary
 Charles Rogers - \$35.00 - Social Services Discretionary
 Lee Vincent - \$50.00 - Social Services Discretionary
 Barbara Weeman - \$10.00 - Social Services Discretionary

c. Deletions from the Town Council Referral List

2011-0177	John Kelley Memorial	Referral
2012-0071	Library/Senior Center Veterans Memorial Plaza	Referral
2012-0154	Historic District Commission Regular Membership	Referral
2012-0200	Adoption of an Ordinance Changing and Redefining the Voting Districts	Referral
2012-0201	Resolution Authorizing Use of a Description of the Ordinance Changing and Redefining the Voting Districts	Referral
2012-0225	Town Manager Annual Evaluation	Referral
2012-0247	Groton Heights School	Referral
2012-0266	Connection Fund Donation	Referral
2012-0276	Candlewood Road Proposal	Referral
2012-0279	Town Departmental Structure - Revision	Referral
2012-0289	Public Hearing on Gravel Street Pump Station Lease	Referral
2012-0290	Referral of Gravel Street Pump Station Lease to Planning Commission Under CGS Section 8-24	Referral
2012-0291	Appointment of Donna Brewer to Historic District Commission	Referral
2012-0292	Appointment of Sarah Moriarty as a Regular Member of the Historic District Commission	Referral
2012-0296	Reappointment of John McGee to Jabez Smith House Committee	Referral
2012-0297	Reappointment of Ann Sloan Rankin to Harbor Management Commission	Referral
2012-0298	Reappointment of James Loughlin Jr. to Cable TV Advisory Council	Referral
2012-0299	Reappointment of Roger Roy to Cable TV Advisory Council	Referral
2012-0300	Agreement with Milone and MacBroom for a Long-Range School Facilities Plan	Referral
2012-0301	Reauthorization of Senior Center Bonds	Referral

VII. COMMUNICATION REPORTS (Other than Committee Reports)

a. Town Councilors

b. Clerk of the Representative Town Meeting

c. Clerk of the Council

d. Town Manager

e. Town Attorney

VIII. COMMITTEE REPORTS

a. Community & Cultural Development - Chairman Schmidt

b. Economic Development - Chairman Johnson

c. Education/Health & Social Services - Chairman Watson

d. Environment/Energy - Chairman Peruzzotti

e. Finance - Chairman O'Beirne

f. Personnel/Appointments/Rules - Chairman Flax

g. Public Safety - Chairman Streeter

h. Public Works/Recreation - Chairman Antipas

i. Committee of the Whole - Mayor Somers

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

2011-0177 John Kelley Memorial

Referral

RESOLUTION IN SUPPORT OF PLACING A JOHN KELLEY MEMORIAL STATUE AT THE TOWN-OWNED PARKLET IN DOWNTOWN MYSTIC

WHEREAS, Mr. James Roy, Chairman of the John Kelley Memorial Fund, is leading an effort to establish a memorial to honor the late John Kelley, a two-time Olympian, Fitch High School teacher, winner of the 1957 Boston Marathon and Groton resident, and

WHEREAS, the effort has considered a number of locations for a life-size bronze statue of Mr. Kelley, and

WHEREAS, after meeting with Mr. Roy and his associates, the Town Manager has approached the Town Council about locating the statue at the Town-owned parklet at the corner of Route 1 and Bank Street in downtown Mystic, now therefore be it

RESOLVED, that the Town Council expresses its support for locating the John Kelley memorial statue at the parklet, pending additional review of the statue's design and approval of its placement at the parklet.

Legislative History

9/6/2011	Mayor	Referred	Town Council Committee of th
9/13/2011	Town Council Committee of the Whole	Discussed	

The Council previously received a letter from, and was addressed under Public Communications by, James Roy who expressed a desire to erect a statue or memorial to John Kelley on Pequot Avenue where the John Mason statue originally stood. Mr. Roy feels that a quick response is necessary because the effort will require major fundraising. Councilor Sheets expressed support for the location, if there is no community opposition. Councilor Kolnaski would like to see a committee formed to decide on an appropriate memorial. Councilor Watson was very enthusiastic about the proposal. Mr. Roy needs the Town Council's approval to use the site because it is owned by the Town. The Town Manager suggested that the location should be vetted and perhaps other locations would be suitable as well. The site is considered sacred ground by some in the community.

3/27/2012 Town Council Community & Discussed
Cultural Development
Committee

5/22/2012 Town Council Community & Not Discussed
Cultural Development
Committee

7/24/2012 Town Council Community & Discussed
Cultural Development
Committee

10/2/2012 Town Council Committee of Recommended for a
the Whole Resolution

Councilor Streeter distributed a packet of information on the Veterans Memorial Plaza and a proposed addition to honor veterans of the Persian Gulf wars. The cost estimate for a new memorial stone is \$12,350.00. No Town funds are available so Councilor Streeter volunteered to fundraise as a private citizen. Mr. Streeter provided a history of the memorial plaza. Ideas for raising funds include establishing a donation account to develop a tiled plaza in the grassed area across from the memorial for veterans only. Space could be sold in a dedication booklet. Approximately 300 veteran memorial tiles could be sold at a cost of \$75 that would fund the larger memorial stone as well as ongoing maintenance and upkeep.

10/2/2012 Town Council Committee of Motion
the Whole

to support Councilor Streeter's efforts to raise funds for a memorial to honor veterans of the Persian Gulf wars

2012-0225 Town Manager Annual Evaluation

Referral

RESOLUTION ADOPTING THE TOWN MANAGER'S COMPENSATION

WHEREAS, the Town Council has reviewed the performance of Town Manager Mark R. Oefinger for the period of 7/1/11 through 6/30/12 and

WHEREAS, the Town Council has rated the Town Manager's overall performance as "exceeds expectations" and

WHEREAS, the Town Manager has not received (FYE 08 and FYE 10) nor accepted (FYE 11) a salary increase in three out of the last four prior fiscal years despite consistent performance evaluations resulting in 'exceeds expectations' ratings and has been without the services of an Assistant to the Town Manager for two years (FYE 10), now therefore be it

RESOLVED, that the Town Manager shall receive an increase in his annual salary of \$6,500, increasing his salary to \$136,675.00, effective July 1, 2012.

Legislative History

7/16/2012 Mayor Referred Town Council Committee of th

7/24/2012 Town Council Committee of Motion
the Whole

to enter executive session at 9:41 p.m. to discuss 2012-0225 Town Manager Annual Evaluation and to invite Town Manager Mark Oefinger to attend

7/24/2012 Town Council Committee of Discussed
the Whole

The executive session concluded at 9:58 p.m.

8/7/2012 Town Council Committee of Discussed
the Whole

Mayor Somers indicated that she would like to discuss the Town Manager's evaluation in executive session without the Town Manager present and Town Manager Oefinger agreed.

8/7/2012 Town Council Committee of Motion
the Whole

exhausted due to increased client need and falling interest rates, now therefore be it

RESOLVED, that the Town Council authorizes the transfer of the \$10,000 donation made by The Connection Fund, Inc. from the General Fund to the Elihu Spicer Fund (73200).

Refer to RTM.

Legislative History

9/4/2012 Mayor Referred Town Council Committee of th

**9/11/2012 Town Council Committee of Discussed
the Whole**

Town Manager Oefinger noted receipt of an unsolicited check in the amount of \$10,000 from The Connection Fund, Inc. that owns a number of properties in the Town. The Connection Fund, Inc. provided the donation as a payment in lieu of taxes. The check has been deposited into the General Fund, but the Town Manager asked the Council if they would like to consider directing the funds someplace else, such as the Spicer Fund. Discussion followed and Councilors expressed support for moving the funds to the Spicer Fund.

**9/11/2012 Town Council Committee of Recommended for a
the Whole Resolution**

Discussion followed on the trust fund and interest earning.

9/18/2012 Town Council Re-referred Town Council Committee of th

The Town Manager informed the Council that The Connection Fund, Inc. considers this donation to be payment in lieu of taxes, and it does not approve or disapprove what the town does with its donation. If this resolution is adopted, it will need to be referred to the RTM.

By consensus this resolution was re-referred to the Committee of the Whole for future discussion.

**10/9/2012 Town Council Committee of Discussed
the Whole**

Councilor Watson stated he would like to transfer the \$10,000 Connecticut Fund, Inc. donation from the General Fund to the Spicer Fund so that the RTM is involved in the process.

**10/9/2012 Town Council Committee of Recommended for a
the Whole Resolution**

2012-0276

Candlewood Road Proposal

Referral

RESOLUTION AUTHORIZING DEVELOPMENT OF A PLAN TO USE A SECTION OF CANDLEWOOD ROAD FOR PRIVATE PURPOSES

WHEREAS, the Town Council has been approached by a consultant representing a bank that would like to move into the former Tim Horton's site on Candlewood Road, and

WHEREAS, the bank would like to use a section of Candlewood Road for access purposes for the bank location, and

WHEREAS, the Town Council has reviewed preliminary plans and expressed their comfort with the use of Candlewood Road for private purposes, now therefore be it

RESOLVED, that the Town Council directs Town Manager Mark R. Oefinger to work with the bank and its representatives to develop a plan for formal approval to utilize a section of Candlewood Road for private purposes.

Legislative History

9/24/2012 Mayor Referred Town Council Committee of th

**10/2/2012 Town Council Committee of Recommended for a
the Whole Resolution**

Jay Fisher of Accubranh, a consultant for a bank that would like to move into the former Tim Horton's site on Candlewood Road, was present to address the Council. The Historic District Commission has granted a

Certificate of Appropriateness for the building. Next, the applicant will seek site plan approval from the Planning Commission. There are access and egress issues with the site, which fronts on two state roads and the closed portion of Candlewood Road.

Dan Kroger from Milone and MacBroom described existing site conditions. They have explored many access options and reopening Candlewood Road is not an option. Their proposal involves establishing a right turn in and a right turn out on Route 117 via Candlewood Road. The road right-of-way would act as the driveway for the bank which would require a lease agreement or abandonment of Candlewood Road.

Town Manager Oefinger noted this portion of Candlewood Road is used for access to Bob's Auto and the Tim Horton's sites, although other properties do have frontage on the road. He encouraged Councilors to look at the road. The Town Manager noted that he is not comfortable with right turns out of the site because even with extreme geometric designs, people still take left hand turns. Candlewood Road is a public right-of-way, but this proposal moves toward designating it as a private driveway for the bank. The Town Manager feels that a fair number of people will turn into the bank to avoid the light at Route 117 and Route 184. The Town has no long term plans for the road. One scenario is abandonment of the road with the land being split down the middle and given to adjacent property owners. Another possibility is an easement or license for the bank to use the right-of-way. The Town Manager noted that this area is in transition and if the 30 acre commercial piece of property behind Bob's Auto is developed, there may be different site access in the future.

The issue for the Council is to indicate whether or not they are opposed to the use of a portion of Candlewood Road for private purposes.

10/2/2012 Town Council Committee of Motion
the Whole

to allow the applicants to continue the site planning process and express that the Town Council feels comfortable using Candlewood Road for private access purposes

2012-0279

Town Departmental Structure - Revision

Referral

RESOLUTION APPROVING CHARTS AND TEXTS SHOWING THE TOWN OF GROTON ORGANIZATIONAL STRUCTURE

WHEREAS, organization charts and accompanying narrative descriptions were approved in August 4, 2009 to show the structure of all Town departments, as an informational supplement to Chapter VII of the Town Charter, and

WHEREAS, it is anticipated that the organization charts will be updated from time to time to reflect the budget and other organizational changes approved by the Town Council, now therefore be it

RESOLVED, that the Town Council approves the attached updated Town of Groton organization charts and accompanying texts dated October 16, 2012.

Legislative History

9/27/2012 Mayor Referred Town Council Committee of th

10/9/2012 Town Council Committee of Discussed
the Whole

Town Manager Oefinger explained that when the new charter was developed, all references to Town departments were removed and authority was given to the Council to make adjustments to the organizational structure. Based on discussions at the time, unless there is a major reorganization, changes are more likely to happen as a result of the budget process. The current document has been revised to reflect updated titles and eliminated positions.

10/9/2012 Town Council Committee of Recommended for a
the Whole Resolution

2012-0289

Public Hearing on Gravel Street Pump Station Lease

Referral

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LEASE OF TOWN PROPERTY AT THE GRAVEL STREET PUMP STATION TO HISTORIC MYSTIC, LLC

RESOLVED, that the Groton Town Council will hold a public hearing as per CGS Sec. 7-163e on a proposed lease of Town-owned property at the Gravel Street Pump Station to Historic Mystic, LLC

on Wednesday, November 7, 2012, at 7:30 p.m., at Town Hall Annex, Community Room 1.

Legislative History

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|---|------------------|----------|------------------------------|----------|
| 2012-0290 | 10/10/2012 Mayor | Referred | Town Council Committee of th | Referral |
| Referral of Gravel Street Pump Station Lease to Planning Commission Under CGS Section 8-24 | | | | |

RESOLUTION REFERRING THE GRAVEL STREET PUMP STATION PROPOSED LEASE TO THE PLANNING COMMISSION

WHEREAS, the Town Council has reviewed a proposed lease between the Town of Groton and Historic Mystic, LLC for a portion of the Town-owned Gravel Street Pump Station site, now therefore be it

RESOLVED, that the Town Council refers the proposed lease of a portion of the Gravel Street Pump Station site to the Groton Planning Commission pursuant to CGS 8-24.

Legislative History

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| 2012-0291 | 10/10/2012 Mayor | Referred | Town Council Committee of th | Referral |
| Appointment of Donna Brewer to Historic District Commission | | | | |

RESOLUTION APPOINTING DONNA BREWER AS AN ALTERNATE MEMBER TO THE HISTORIC DISTRICT COMMISSION

RESOLVED, that Donna Brewer, 26 Academy Lane, Mystic, is hereby appointed as an alternate member to the Historic District Commission for a term ending 12/31/15.

Legislative History

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|--|--|-------------------|--|----------|
| 2012-0292 | 10/9/2012 Town Council
Personnel/Appointments/Rules Resolution
/Legislation Committee (2011) | Recommended for a | | Referral |
| Appointment of Sarah Moriarty as a Regular Member of the Historic District Commission | | | | |

RESOLUTION APPOINTING SARAH MORIARTY AS A REGULAR MEMBER (FROM AN ALTERNATE MEMBER) TO THE HISTORIC DISTRICT COMMISSION

RESOLVED, that Sarah D. Moriarty, 30 Fishers View Drive, is hereby appointed as a regular member (from an alternate member) to the Historic District Commission for a term ending 12/31/15.

Legislative History

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|---|--|-------------------|--|----------|
| 2012-0296 | 10/9/2012 Town Council
Personnel/Appointments/Rules Resolution
/Legislation Committee (2011) | Recommended for a | | Referral |
| Reappointment of John McGee to Jabez Smith House Committee | | | | |

RESOLUTION REAPPOINTING JOHN MCGEE TO THE JABEZ SMITH HOUSE COMMITTEE

RESOLVED, that John McGee, 95 Soundbreeze Avenue, is hereby reappointed to the Jabez Smith House Committee for a term expiring 9/7/14.

Legislative History

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| 2012-0297 | 10/9/2012 Town Council
Personnel/Appointments/Rules Resolution
/Legislation Committee (2011) | Recommended for a | | Referral |
| Reappointment of Ann Sloan Rankin to Harbor Management Commission | | | | |

RESOLUTION REAPPOINTING ANN SLOAN RANKIN TO THE HARBOR MANAGEMENT

COMMISSION

RESOLVED, that Ann Sloan Rankin, 25 Spring Street, is hereby reappointed to the Harbor Management Commission for a term expiring 9/1/14.

Legislative History

10/9/2012 Town Council Recommended for a
Personnel/Appointments/Rules Resolution
/Legislation Committee (2011)

2012-0298 Reappointment of James Loughlin Jr. to Cable TV Referral
Advisory Council

RESOLUTION REAPPOINTING JAMES J. LOUGHLIN, JR. TO THE CABLE TV ADVISORY COUNCIL

RESOLVED, that James J. Loughlin, Jr., 35 West Mystic Avenue, Mystic, is hereby reappointed to the Cable TV Advisory Council for a term ending 7/1/13.

Legislative History

10/9/2012 Town Council Recommended for a
Personnel/Appointments/Rules Resolution
/Legislation Committee (2011)

2012-0299 Reappointment of Roger Roy to Cable TV Advisory Referral
Council

RESOLUTION REAPPOINTING ROGER ROY TO THE CABLE TV ADVISORY COUNCIL

RESOLVED, that Roger A. Roy 300 Brandegee Avenue, #200, is hereby reappointed to the Cable TV Advisory Council for a term ending 7/1/13.

Legislative History

10/9/2012 Town Council Recommended for a
Personnel/Appointments/Rules Resolution
/Legislation Committee (2011)

2012-0300 Agreement with Milone and MacBroom for a Referral
Long-Range School Facilities Plan

RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH MILONE AND MACBROOM FOR A LONG-RANGE SCHOOL FACILITIES PLAN

WHEREAS, the Town Council is planning to establish a School Facilities Initiative Task Force to provide recommendations for the design of a school system that reflects the Town's long-term vision and takes into consideration educational programs, budgets, facilities, and demographic changes, and

WHEREAS, the Task Force will require the assistance of a professional consultant to accomplish its goals in an effective and timely manner, and

WHEREAS, the firm of Milone and MacBroom is currently working closely with Groton Public Schools on a redistricting plan and also working with the Town's Office of Planning and Development Services on the update of the Plan of Conservation and Development, and

WHEREAS, Milone and MacBroom will generate data from these two efforts that places them in a unique position to assist the School Facilities Initiative Task Force, and

WHEREAS, the Town Council has reviewed a detailed Scope of Services (MMI #4908-01) prepared by Milone and MacBroom dated September 24, 2012 with a lump sum fee of \$40,000 and the Town Council has appropriated \$75,000 in a FYE 2013 capital improvement project to define a plan addressing the needs of Groton's public schools, now therefore be it

RESOLVED, that the Town Council authorizes Town Manager Mark R. Oefinger to sign the

above-noted Scope of Services and enter into an agreement with Milone and MacBroom for a long-range school facilities plan with the understanding that the effort will not begin until January 2013.

Legislative History

10/9/2012 Town Council Committee of Recommended for a
the Whole Resolution

2012-0301

Reauthorization of Senior Center Bonds

Referral

RESOLUTION EXTENDING THE APPROPRIATION FOR GROTON SENIOR CENTER

WHEREAS, the Town of Groton (the "Town") approved Ordinance No. 269 at referendum on November 6, 2007, which appropriated \$11,770,000 and authorized borrowing in the same amount for renovations and additions to Groton Senior Center; and

WHEREAS, Section 8.4.5 of the Charter in effect at the time said Ordinance became effective provided that any appropriation for construction or other permanent improvement which has not been completely expended at the end of five years from the date thereof shall thereupon lapse; and

WHEREAS, the Town Manager has reported that certain additional expenditures remain to be made or financed for the project that cannot be expended or financed by the end of five years from the effective date of the last appropriating ordinance and has recommended that said appropriation be extended by reappropriating that portion of the \$11,770,000 which has not been expended or financed on the effective date of this resolution; and

WHEREAS, the Director of Finance has certified that whatever portion of said appropriation is extended may be financed by grants and Town general obligation bonds previously approved; and

WHEREAS, it is in the best interests of the Town to complete the financing of the Groton Senior Center, now therefore be it

RESOLVED, that any portion of said \$11,770,000 appropriation which has not been expended or financed on the effective date of this resolution shall be extended and reappropriated, provided that the total amount expended or financed as of the effective date of this resolution, pursuant to said appropriation under Ordinance No. 269, plus the portion which is reappropriated, shall not exceed \$11,770,000.

Refer to RTM under Rule 6.5.3.

Legislative History

10/11/2012 Mayor

Referred

Town Council Committee of th

XI. OTHER BUSINESS

XII. ADJOURNMENT